

1 The Court finds that good cause exists to strike
2 Defendant American Audio's Answer and Counterclaims
3 pursuant to Central District Local Rules. Under
4 Central District Local Rule 83-2.10.1, a corporation
5 cannot appear in any action *pro se*. Even if a
6 defendant corporation has filed its answer, if it fails
7 to retain counsel its answer may be stricken. Rojas v.
8 Hawgs Seafood Bar, Inc., No. 08-03819, 2009 U.S. Dist.
9 LEXIS 41435, at *1 (N.D. Cal. May 4, 2009).

10 The Court finds that Defendant American Audio
11 failed to retain counsel as required by Central
12 District Local Rule 83-2.1.10. Defendant American
13 Audio has been without counsel since the Court granted
14 Defendant American Audio's prior counsel, Maurice
15 Newman's, motion to withdraw as attorney of record on
16 December 6, 2011 [96]. Furthermore, Defendant American
17 Audio has not indicated that it intends to obtain new
18 counsel and has not provided the Court with current
19 contact information. All recent attempts made by the
20 Court and Plaintiff to communicate with Defendant
21 American Audio have failed because all correspondence
22 mailed to the address Defendant American Audio provided
23 has been returned. Specifically, Plaintiff mailed this
24 Motion to the address provided by Defendant American
25 Audio and it was returned [103]. Additionally,
26 Plaintiff provided Notice of Defendant American Audio's
27 non-response to the Motion [103].

28 The Court **GRANTS** Plaintiff's Motion for an Order

1 Striking Defendant American Audio's Answer and
2 Counterclaims because of Defendant American Audio's
3 failure to retain counsel as required by Central
4 District Local Rule 83-2.1.10. Accordingly, the Court
5 hereby strikes Defendant American Audio's Answer and
6 Counterclaim [9, 12]. Because Defendant American
7 Audio's Answer has been stricken from the docket, the
8 Court finds that default is appropriate and hereby
9 enters default against Defendant American Audio
10 pursuant to Federal Rule of Civil Procedure 55(a).

11 At this time, all Defendants in this case have been
12 terminated with the exception of Defendants American
13 Audio and V2GO Technology Corporation ("Defendant
14 V2GO"). Defendant V2GO filed a Notice of Automatic
15 Bankruptcy Stay on February 25, 2011 [60]. However,
16 Defendant V2GO's bankruptcy case was closed December 9,
17 2011. Order Closing Case, No. 2:11-bk-18108-BB (Bankr.
18 C.D. Cal. Aug. 10, 2011). Thus, the bankruptcy stay
19 against Defendant V2GO is lifted. Further action must
20 be taken by Plaintiff in order to pursue prosecution
21 against Defendant V2GO.

22
23 **IT IS SO ORDERED.**

24 DATED: June 19, 2012

25
26 RONALD S.W. LEW

27 **HONORABLE RONALD S.W. LEW**

28 Senior, U.S. District Court Judge